

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES,  
Plaintiff,  
v.  
FABRICIO RAMIREZ  
Defendant(s).

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. [23-cr-00107-SI-1\(SI\)](#)  
**ORDER FOR PRETRIAL  
PREPARATION (CRIMINAL)**

Good cause appearing, **IT IS HEREBY ORDERED** that:

**TRIAL DATE:** On **6/17/2024** at 8:30 a.m., Courtroom 1, 17th floor, and will be before the JURY.

**TRIAL LENGTH** is estimated to be 4 days.

**MOTIONS IN LIMINE:**

Any party wishing to have motions in limine heard prior to the commencement of trial must file and serve same no later than **five court days** prior to the date set for the Pretrial Conference. Any party opposing such a motion in limine shall file and serve its opposition papers no later than **two court days** prior to the Pretrial Conference (with personal service directly on chambers). No reply papers will be considered, and the motions will be heard at the Pretrial Conference or at such other time as the Court may direct.

**PRETRIAL CONFERENCE:** A Pretrial Conference **SHALL** be held at **1:30 p.m.** on **6/4/2024** in Courtroom 1. Not less than **three court days** before the Pretrial Conference, counsel for the government **SHALL**:

- 1        (1)    Serve and file a trial memorandum briefly stating the legal bases for the  
2    charges and the anticipated evidence, and addressing any evidentiary, procedural or  
3    other anticipated legal issues;
- 4        (2)    Serve and file a list of all witnesses who may be called, together with a brief  
5    summary of the testimony of each;
- 6        (3)    Serve and file proposed jury instructions on all substantive issues and on  
7    any procedural issue not adequately covered by the Court's standard instructions (which  
8    are published in the Ninth Circuit Manual of Model Jury Instructions). Counsel shall  
9    deliver to the Courtroom Deputy a copy of their proposed jury instructions and email a  
10   copy in Word format to SIPO@cand.uscourts.gov.
- 11       (4)    Serve and file a proposed form of verdict and proposed questions for jury  
12   voir dire; and,
- 13       (5)    Serve and file exhibit lists; and serve copies of all marked exhibits on all  
14   parties. Each item **SHALL** be pre-marked; generally, the government **SHALL** use  
15   numbers, the defendant, letters. The exhibits **SHOULD NOT** be filed with the Court, only  
16   the exhibit lists must be filed with the Court. However, counsel shall lodge with the Court  
17   two copies of the exhibits in binders the Friday before trial, for the Court's use and  
18   witnesses use during trial. The original exhibits admitted by the Court shall be collected  
19   by the Court during trial.

20       Not less than **three court days** before the Pretrial Conference, defense counsel  
21   **SHALL** comply with subparagraphs (3) and (4) above, and, to the extent consistent with  
22   the defendant's right to an effective defense, with subparagraphs (1), (2) and (5) above.

23       Counsel **SHALL** confer in advance and be prepared to discuss with the Court any  
24   anticipated evidentiary objections and any means for shortening and simplifying the trial  
25   (e.g., by stipulating to such matters as chain of custody, nature of substances, use of the  
26   mails, etc.).

27       Counsel should submit an agreed upon set of additional requested voir dire  
28   questions to be posed by the Court. Any voir dire questions on which counsel cannot  
29   agree shall be submitted separately. Voir dire by counsel will not be permitted absent  
30   leave of Court.

31       **MOTIONS:** All motions **SHALL** be heard at the Pretrial conference, and **SHALL** comply  
32   with Crim. L.R. 47-2. Before filing any motion, counsel for defendant and for the  
33   government **SHALL** confer concerning any matter covered by Crim. L.R. 17.1-1(b),  
34   relevant to the case, in particular, subparagraphs (1) - (3).

35       The party filing any motion or other paper in this case shall show on the first page  
36   beneath the file number which, if any, of the exclusions under 18 U.S.C. § 3161 may be  
37   applicable to the action sought or opposed by the motion or other paper, and his or her  
38   calculation of the amount of excludable time to the hearing date.

1           The party filing an opposition or other paper shall also show on the first page  
2 beneath the file number which, if any, of the exclusions under 18 U.S.C. § 3161 may be  
3 applicable to the action sought or opposed by the motion or other paper, and his or her  
4 calculation of the amount of excludable time to the hearing date. Crim. L.R. 47-2 (c)

5           **COPIES:** Each document filed or lodged with the Court must be accompanied by an  
6 unstapled, **three-hole punched** copy for use in the Judge's chambers. In addition, one  
7 copy of the witness and exhibit lists should be furnished to the court reporter.

8           **TRANSCRIPTS:** If transcripts will be requested during or immediately after trial,  
9 arrangements must be made with the court reporter at least one week before trial  
10 commences. If a daily transcript and/or real-time reporting is needed, the parties shall  
11 make arrangements with Kristen Melen, Court Reporter Supervisor, at (415) 522-2079 or  
[Kristen\\_Melen@cand.uscourts.gov](mailto:Kristen_Melen@cand.uscourts.gov) at least fourteen days before trial commences.

12           **CHANGE OF PLEA:** Counsel **SHALL** give prompt notice to the United States Attorney  
13 and to the Court of any intention to change a previously entered not guilty plea.

14           **EXHIBITS:** Upon the conclusion of the trial, the admitted exhibits are filed by the Court.  
15 The exhibits not admitted are returned to counsel.

16           **IT IS SO ORDERED.**

17           Dated: February 26, 2024

18           

19           SUSAN ILLSTON  
20           United States District Judge